REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 2-6 and 8-11 are pending. Claim 1 is hereby canceled. Claims 2, 5, 6, 8, 10 and 11 are independent. Claims 2, 5, 6 and 11 are amended. No new matter has been added.

Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. CLAIM OBJECTIONS

Claims 6 and 11 are amended to overcome the Examiner's objections.

III. REJECTIONS UNDER 35 U.S.C. §103

Claims 2-4 and 8-11

Claims 2-4 and 8-11 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable only over U.S. Patent No. 6,658,195 to Senshu (hereinafter, merely "Senshu") in view of various combinations with U.S. Patents Nos. 5,574,570 to Ohkuma et al. and 5,940,016 to Lee. Applicants respectfully traverse these grounds of rejection because, as discussed below, Senshu is not prior art because the foreign priority date of the present application is prior to the U.S. filing date of Senshu.

Senshu is not prior art to the present application because Senshu has a U.S. filing date of **March 29, 2000** that is **after** Applicants' foreign priority date of **March 27, 2000**. Applicants may rely on their foreign priority date under 35 U.S.C 119(a) to establish a date of invention earlier than a reference that has a U.S. filing date that is later than Applicants' foreign priority date, even if the reference has a foreign priority date that precedes Applicants' foreign priority date. 35 U.S.C. 102(e)(2).

To overcome the rejection based upon Senshu, Applicants submit herewith a verified English translation of priority Japanese application 2000-085484, filed in Japan on March 27, 2000. In the original Inventors' Declaration, Applicants asserted a claim of priority to this Japanese application. It is readily apparent that claims 2-4 and 8-11 find support in this priority application.

Accordingly, Applicants submit that Senshu is disqualified as prior art in a rejection under 35 U.S.C. 103(a). Thus, all of the outstanding rejections based upon combinations involving Senshu in the above-noted Office Action are overcome. Claims 2-4 and 8-11 were rejected only over combinations of patents involving Senshu.

In view of above statements, withdrawal of the rejection of claims 2-4 and 8-11 under 35 U.S.C. §103(a) is respectfully requested. Claim 2 has been rewritten in independent form and claims 3 and 4 depend therefrom.

Claims 1, 5 and 6

Claims 1, 5 and 6 were rejected as allegedly unpatentable over Senshu in view of U.S. Patent No. 6,115,537 to Yamada et al. (hereinafter, merely "Yamada").

Claims 1, 5 and 6 were rejected as allegedly unpatentable over U.S. Patent No. 6,026,212 to Oguro in view of Yamada.

Claims 1, 5 and 6 were rejected as allegedly unpatentable over U.S. Patent No. 5,426,538 to Kanota et al. (hereinafter, merely "Kanota") in view of Yamada. Note that the Office Action had listed previously canceled claim 7 as also rejected.

Claim 1 is hereby canceled. Thus, the rejections of claim 1 are moot.

The rejection of claims 5 and 6 over the combination of Senshu and Yamada is overcome because Senshu is not a prior art reference to the present application for the reasons discussed above.

Regarding the additional rejections of claims 5 and 6, those claims have been amended to recite substantially the same features as those of claim 2. Claim 2 was rejected as being obvious in view of the combination of Senshu, Yamada and Ohkuma. Senshu is not available as prior art. Thus, the limitations recited by claim 2 are patentable, and claims 5 and 6 should be allowable for at least the same reasons as discussed for claim 2.

IV. DOUBLE PATENTING

Claims 1, 5 and 6 were rejected for obviousness-type double patenting over claims 7, 9 and 10 of U.S. Patent Application No. 09/824,959. Applicants note that this should have been a provisional rejection because both the present application and the cited application are co-pending. MPEP 804.

However, the rejected claims of the present application have been amended to incorporate the features of claim 2. The features recited in claim 2 are patentably distinct from

the claims of the cited application. Thus, Applicants respectfully request withdrawal of the provisional double-patenting rejection.

CONCLUSION

In view of the foregoing amendments and remarks, it is believed that remaining claims 2-6 and 8-11 have been placed in condition for allowance and Applicants respectfully request early passage to issue of the present application.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issuance of the present application.

Respectfully submitted,

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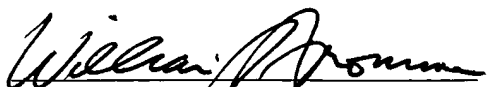
By: 
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